



# *Paul Coverdell Forensic Science Improvement Grants Program*



## *FY 2009 Grant Application Program Narrative*

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## **Attachment 1**

### **Paul Coverdell Forensic Science Improvement Grant Program**

#### **Proposal Abstract**

Annually, the Guam Police Department Forensic Science Division receives an average of 2,117 forensic cases, takes an average of 21,221 pieces of photographic forensic evidence, lifts an average of 8,693 latent prints, confiscates an average of 367 drug cases, analyzes an average of 78 drug cases, receives an average of 23 serological forensic cases, and receives an average of 14 firearms forensic cases. Due to current staffing levels, limited and dated information technology systems, limited forensic equipment and supplies, and no forensic sciences training for staff, Guam's only forensic laboratory is only processing forensic cases going to court and forensic cases with active leads. Confiscated evidence pending forensic analysis is being maintained in the Evidential Control Section. The department does not have an operating budget for forensic science staff training, equipment maintenance and software and workstation upgrade, forensic equipment and forensic supplies, and consultancy services.

Technology factors that limit the ability to provide quality and timely evidence processing include the following: aged and obsolete automated fingerprint identification system (17 years old), aged gas chromatograph mass spectrometer (11 years old), aged and antiquated printers [1 HP Laser Jet (10 years old) and 2 HP Laser Jet 4 (15 years old)], no instrument to detect gas leaks on the GC/MS, and no Forensic Laboratory Information Management System capability. These detrimental factors lead to excessive evidence processing time. Funding under this grant will be used to acquire a Cogent automated fingerprint/palm print identification system (CAFIS), to upgrade the GC/MS software and workstation to conduct full services maintenance on the GC/MS, to implement a laser printer, to implement a handheld electronic gas leak detector

instrument, to maintain contractual services on the digital minilab and to implement additional FLIMS modules.

Funding under this grant will be also be used to provide training for staff whom are directly and substantially involved in providing forensic science services. Forensic examiners and analyst will have the capability to attend training related to their discipline to include crime scene investigation, forensic biology, forensic chemistry, fingerprint/latent prints, physical evidence, drugs/toxicology, digital photography courses to increase the analyst's and examiner's knowledge of new methods and instrumentation, and to demonstrate to the general public and the criminal justice system that the laboratory output is of the highest quality and that the procedures used meet established standards.

Guam's only state court (Judiciary of Guam) implemented a Cogent AFIS (CAFIS) System in 2008 to store and forward all felony and serious misdemeanor finger prints to the FBI CJIS Division, as the Judiciary of Guam is the state sole submitter for submission of information and fingerprints to the Federal Bureau of Investigation and the National Crime Information Center. With funding made available from the Compact Impact of Free Association, the Guam Police Department will network to the Judiciary CAFIS to implement full AFIS capability for the Guam Police Department Forensic Science Division. This project is in the procurement stage and will be fully implemented in August 2009. The Compact Impact funding is being used to purchase two livescan booking station, two cardscan workstation, an AFIS server, an AFIS matcher, two CAFIS/CAPIS ID workstation. With Coverdell funds, the Forensic Science Division will purchase an additional CAFIS/CAPIS ID workstation that will enable the fingerprint examiner to increase its capacity to scan backlog ten print cards/latent prints to build the AFIS database in order to address the average of 598 latent print backlog.

The additional laser printer will increase the forensic science section capacity to cut down the time it takes to print the forensic evidence results and to provide the results to the requesting agency. When operating the GC/MS, the forensic analyst relies on the use of a soapy solution to detect leaks. This method results in the corrosion of the swagelok fittings and copper tubing requiring the analysts to replace the connectors and cut tubing as needed to address the issue. This delay the processing of forensic evidence as the instrument must be shut down for this maintenance. The handheld electronic gas leak detector will aid in quickly detecting leaks in the GC/MS thus reducing the forensic evidence processing time and preserving the life of the gas connections. Forensic examiners and analysts will have the capability to attend training related to their discipline to include crime scene investigation, forensic biology, forensic chemistry, fingerprint/latent prints, physical evidence, drugs/toxicology, digital photography courses to increase the analyst's and examiner's knowledge of new methods and instrumentation, and keep the analyst and examiner abreast with the latest forensic techniques, and trends in the forensic science field. The Forensic Science Division will have the ability to maintain its digital minilab, to upgrade the GC/MS dated software and workstation and to conduct a full maintenance on GC/MS. The Forensic Science Division is pursuing accreditation and will have the opportunity to contract for consultancy services to assist them in achieving accreditation. The Forensic Science Division will also be able to purchase additional modules to implement their Forensic Laboratory Information Management System to meet the laboratory demands and needs.

The program evaluation criteria will consist of the successful implementation of the forensic identification workstation with Epson Scanner, laser printer, handheld electronic gas leak detector for the GC/MS; successful implementation of the printer supplies for the forensic science unit, digital minilab supplies for the photo lab, GC/MS supplies and parts for drug

analysis GC/MS system; successful implementation of the forensic analysts and forensic examiners training in their perspective disciplines; successful implementation of the Consultancy services to assist the Forensic Science Division to achieve accreditation; successful implementation of the service contract for the digital minilab; successful implementation of the contract for the GC/MS software and workstation upgrade and full maintenance of the GC/MS system; and the successful implementation of the FLIMS additional modules and maintenance. The program outcomes and effectiveness of the project will be based on the efficiencies that the Forensic Science Division will experience with the implementation of the forensic equipment and supplies. The anticipated outcomes of this program are the following:

- Reduction in the delay in getting the evidence into the laboratory for analysis and reporting of results to the requesting agency;
- Reduction of backlog case evidence processing of a least 20%;
- Increased forensic quality of processed case evidence; and
- Increased laboratory personnel efforts towards the accreditation requirements.

The implementation of the forensic equipments, forensic supplies, specialized training, consultancy services and service contracts provided by this grant opportunity will dramatically increase the effectiveness and efficiencies of the Crimes Scene Response Section and the Forensic Science Section of the Guam Police Department Forensic Science Laboratory in improving the timeliness and quality of the forensic services provided and the reporting of results to the requesting agency.

## Program Narrative

Guam's government system is unique because there is only one level of Government. The Guam Police Department is the primary law enforcement agency with responsibility for Guam. The jurisdictional area is comprised of 173,456 citizens spread over a service area of 212 square miles. The department accomplishes its mission with a staff of 312 sworn officers and 65 full time civilian employees. The department reports an average of 4,481 (6 year average beginning with 2003 to 2008) instances of major crime each year as reported in the *Crime in Guam 2007 Uniform Crime Report*. The major crimes include murder, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson. The Guam Police Department Forensic Science Division receives an average of 2,117 forensic cases per year that cumulate in over 30,318 pieces of evidence to be processed annually.

Guam Police Department Uniform Crime Report 2003 – 2008							
Offenses	2003	2004	2005	2006	2007	2008	Average
Murder	8	9	7	11	1	1	6
Rape	219	161	151	180	207	154	179
Robbery	60	104	105	72	108	49	83
Aggravated Assault	207	190	125	147	119	330	186
Burglary	1126	1292	1468	1292	1057	647	1147
Larceny-theft	2459	3053	2851	2639	2791	1962	2626
Motor Vehicle theft	231	311	315	213	211	146	238
Arson	8	16	17	33	8	18	17
<b>Total</b>	<b>4318</b>	<b>5136</b>	<b>5039</b>	<b>4587</b>	<b>4502</b>	<b>3307</b>	<b>4482</b>

Source: Crime in Guam 2007 Uniform Crime Report; and 2008 Preliminary UCR Data

The Guam Police Department Forensic Science Division is the only U.S. Forensic Laboratory in the Western Pacific region. In addition to providing forensic services for Guam, it provides forensic services to local and federal law enforcement entities in Guam, the Commonwealth of the Northern Mariana Islands, and throughout Micronesia. The Forensic Science Division consists of two distinct sections: Crime Scene Response Section and Forensic Science Section. The former provides services in the area of crime scene field investigation,

photo lab, and latent print/fingerprint analysis, while the latter conducts analyses of drugs, serological, and firearms and tool mark evidence.

The Forensic Science Division has seventeen (17) full time personnel. The staff consist of the following: 1 Division Chief / Operations Chief (Police Captain), 1 Crime Scene Response Section Officer in Charge (Police Sergeant), 1 Criminalist I (Civilian), 3 Criminalist III (Civilians), 1 Firearms Examiner (PO III), 1 Firearms Examiner Trainee (PO III), 1 Photo Lab (PO III), 2 Finger Print Examiners (1 PO III and 1 Civilian), 1 Fingerprint Examiner Trainee (PO III), 5 Crime Scene Investigators (2 POI, 2 POII, and 1 POIII). Of the seventeen (17) full time personnel, there are four (4) qualifying full time scientists. At this time, the Forensic Science Division does not perform the following analyses: DNA analyses, complete toxicology, hair and fiber, gun shot residue, questioned document, paint and polymers, soil, mineral and glass, and arson and explosives. This evidence is collected and sent off-island to the FBI laboratory for analysis.

### **Problem Statement**

Annually, the Guam Police Department Forensic Science Division receives an average of 2,117 forensic cases, takes an average of 21,221 pieces of photographic forensic evidence, lifts an average of 8,693 latent prints, confiscates an average of 367 drug cases, analyzes an average of 78 drug cases, receives an average of 23 serological forensic cases, and receives an average of 14 firearms forensic cases. Due to current staffing levels, limited and dated information technology systems, limited forensic equipment and supplies, and no forensic sciences training for staff, Guam's only forensic laboratory is only processing forensic cases going to court and forensic cases with active leads. Confiscated evidence pending forensic analysis is being maintained in the Evidential Control Section. The department does not have an operating budget

for forensic sciences staff training, equipment maintenance and software and workstation upgrade, forensic equipment and forensic supplies, and consultancy services.

Technology factors that limit the ability to provide quality and timely evidence processing include the following: aged and obsolete automated fingerprint identification system (17 years old), aged gas chromatograph mass spectrometer (11 years old), aged and antiquated printers [1 HP Laser Jet (10 years old) and 2 HP Laser Jet 4 (15 years old)], no instrument to detect gas leaks on the GC/MS, and no Forensic Laboratory Information Management System capability. These detrimental factors lead to excessive evidence processing time. Funding under this grant will be used to acquire a Cogent automated fingerprint/palm print identification system (CAFIS) workstation, to upgrade the GC/MS software and workstation and to conduct full services maintenance on the GC/MS, to implement a laser printer, to implement a handheld electronic gas leak detector instrument, to maintain contractual services on the digital minilab and to implement additional FLIMS modules.

Funding under this grant will be also be used to provide training for staff whom are directly and substantially involved in providing forensic science services. Forensic examiners and forensic analysts will have the capability to attend training related to their discipline to include crime scene investigation, forensic biology, forensic chemistry, fingerprint/latent prints, physical evidence, drugs/toxicology, digital photography courses to increase the analyst's and examiner's knowledge of new methods and instrumentation, and to demonstrate to the general public and the criminal justice system that the laboratory output is of the highest quality and that the procedures used meet established standards.

Guam's only state court (Judiciary of Guam) implemented a Cogent AFIS (CAFIS) System in 2008 to store and forward all felony and serious misdemeanor finger prints to the FBI

CJIS Division, as the Judiciary of Guam is the state sole submitter for submission of information and fingerprints to the Federal Bureau of Investigation and the National Crime Information Center. With funding made available from the Compact Impact of Free Association, the Guam Police Department will network to the Judiciary CAFIS to implement full AFIS capability for the Guam Police Department Forensic Science Division. This project is in the procurement stage and will be fully implemented in August 2009. The Compact Impact funding is being used to purchase two livescan booking station, two cardscan workstation, an AFIS server, an AFIS matcher, two CAFIS/CAPIS ID workstation. With Coverdell funds, the Forensic Science Division will purchase an additional CAFIS workstation that will enable the fingerprint examiner to increase its capacity to scan backlog ten print cards/latent prints to build the AFIS database in order address the average of 598 latent print backlog.

The additional laser printer will increase the forensic science section capacity to cut down the time it takes to print the forensic evidence results and to provide the results to the requesting agency. When operating the GC/MS, the forensic analyst relies on her sense of smell and sight to detect leaks. This method delays the processing of forensic evidence. The handheld electronic gas lead detector will aid in quickly detecting leaks in the GC/MS thus reducing the forensic evidence processing time. Forensic examiners and forensic analysts will have the capability to attend training related to their discipline to include crime scene investigation, forensic biology, forensic chemistry, fingerprint/latent prints, physical evidence, drugs/toxicology, digital photography courses to increase the analyst's and examiner's knowledge of new methods and instrumentation, and keep the analyst and examiner abreast with the latest forensic techniques, and trends in the forensic science field. The Forensic Science Division will have the ability to maintain its digital minilab, to upgrade the GC/MS dated software and workstation and to

conduct a full maintenance on GC/MS. The Forensic Science Division is pursuing accreditation and will have the opportunity to contract for consultancy services to assist them in achieving accreditation. The Forensic Science Division will also be able to purchase the additional modules to implement their Forensic Laboratory Information Management System to meet the laboratory demands and needs.

Forensic Science Division Crime Scene Response Section									
Year	Crime Scene Investigation Unit	Photo Lab Unit				Fingerprint/Latent Print Unit			
	Forensic Cases Investigated	Forensic Evidence Taken	Forensic Evidence Printed and Delivered	Forensic Evidence Digitally Recorded and Distributed in CD Format to Requesting Agency	Forensic Evidence Backlog	Latent Prints Lifted	Latent Prints of Value	Manual Matches	Latent Prints Backlog
2004	1905	16131	3648		12483	7644	644	14	630
2005	2137	21091	2411		18680	9812	754	18	736
2006	2187	25824	2611		23213	9714	694	14	680
2007	2818	27571	2132		25439	9498	624	15	609
2008	1542	15490	1701	9574	4215	6800	336	0	336
Average Total	2117.8	21221.4	2500.6	1914.8	16806	8693.6	610.4	12.2	598.2

Average turn around time to process and deliver forensic evidence to the requesting agency is 2 to 3 days.

Forensic Science Division Forensic Science Section											
Year	Drug Analysis Unit				Serology Unit			Firearms / Tool Mark Unit			
	Drug Cases Confiscated	Drug Cases Received	Drug Cases Analyzed (a)	Drug Cases Backlog	Forensic Cases Received (b)	Forensic Cases Analyzed (c)	Forensic Cases Backlog (d)	Forensic Cases Received (e)	Forensic Cases Analyzed	Forensic Backlog Cases Analyzed	Forensic Cases Backlog
2004		84	55	29	21	14	1	17	17	0	0
2005	474	70	46	428	20	12	1	22	24	2	0
2006	410	44	88	322	26	21	2	8	12	4	0
2007	496	134	192	304	27	23	0	12	12	1	1
2008	456	60	107	349	22	15	2	11	11	12	0
Average Total	367.2	78.4	97.6	286.4	23.2	17	1.2	14	15.2	3.8	0.2
<p>Backlog drug cases is calculated based on Drug Cases Confiscated less Drug Cases Analyzed. The prior year backlog drug cases are not added on to the following year.</p> <p>Because of the 3 year statute of limitation for drug cases, backlog drug cases prior to 2005 will not be analyzed</p> <p>Turn around time:</p> <p>Submission to lab to analysis: 1-2 days, 2 weeks for multiple case submissions</p>					<p>(b) Only includes cases going to court and cases with active leads for investigation. 2004-2008, due to a reduction in manpower, only forensic evidence that is going to court was being processed at this time. Evidential Control Section maintains those forensic cases that have not been processed.</p>						

(a) In 2006 an additional criminalist was hired for Drug Analysis and was on training status until Aug 2006. Additional criminalist working full time processing current and backlog cases and the other criminalist working part time. In 2008 the Laboratory was in the process of packing for relation to their new facility.	(b) As of June 2006 two serologists are now working full time. CY 2007 and current, the Serology Unit accepts all serology cases because of the additional criminalist assigned to Serology. CY 2008 the Evidential Control is suffering a staff shortage and are unable to bring evidence on a regular basis due to staff shortage.
Confiscation to Analysis: 2 years (Average)	(c) 2004 and 2008 includes FBI analyzed cases. 2006 includes 2 cases sent to private labs.
Desired turn around time: Confiscation to Analysis: 3 - 7 days	(d) Cases in which only blood reference samples are submitted do not require analysis and are not considered backlog.
	(e) Only includes cases going to court and cases with active leads for investigation.

## Purpose of the Program

The purpose of this program is to enhance the Forensic Science Division's ability to improve the quality and timeliness of forensic science services in processing the forensic evidence and providing the results to the requesting agency; in processing its latent print backlog cases; in processing the drug analysis back log cases; and to assist the laboratory to pursue accreditation standards. Funding under this grant will be used to increase the fingerprint/latent print unit capacity to reduce its average of 598 latent prints backlog with the CAFIS workstation; to increase drug analysis unit and serology unit capacity to provide the forensic evidence reports to the requesting agency with the additional laser printer; to increase drug analysis unit capacity to reduce the average of 286 drug cases backlog with the GC/MS software upgrade and workstation, GC/MC equipment maintenance, and the handheld electronic gas leak detector equipment; to provide forensic sciences training to the forensic examiners and forensic analysts; to pursue accreditation; and to purchase the additional modules to implement their Forensic Laboratory Management Information System to meet the laboratory demands and needs.

## Program Goal and Objective

The goal is to improve the quality and timeliness of forensic services in processing forensic evidence and providing the forensic evidence results to the requesting agency in a timely manner.

The objectives of this program is to acquire additional forensic equipments (Cogent automated fingerprint/palm print identification system, laser printer, and gas leak detector instrument) and supplies (office and laser printer supplies, digital minilab supplies and GC/MS supplies), to upgrade the GC/MS software and workstation, to conduct full service on the GC/MS, to purchase additional FLIMS modules that will enable the Forensic Science Division to process the current and backlog forensic evidence in a timely manner, to provide forensic evidence results to the requesting agency, and to achieve accreditation.

**Program Implementation Plan**

Upon the establishment and receipt of the grant award, the Guam Police Department’s Forensic Science Division, and Special Programs Section will collaborate to purchase the forensic equipments and forensic supplies; to prepare the request for proposal for the consultancy services for accreditation; to upgrade the GC/MS software and workstation and to have a full service maintenance performed on the GC/MS; to maintain the digital minilab; and to prepare the travel authorization for the forensic staff to attend training in their disciplines. The following timeline is submitted to represent the proposed implementation of program activities. Actual realized implementation may vary slightly due to the establishment of the account and the additional time required in the competitive bidding process.

**Program Implementation Timeline**

MONTH	ACTIVITIES
Month 1	<ul style="list-style-type: none"> <li>▪ Request sole source approval from Guam GSA to purchase the CAFIS workstation as the equipment must be compatible to the COGENT system that resides at the Judiciary of Guam.</li> <li>▪ Prepare request for proposal for the CAFIS workstation.</li> <li>▪ Obtain three price quotations for the HP laser printer and hand held electronic gas leak chromatograph mass spectrometer.</li> <li>▪ Obtain three price quotations for the office and HP laser printer supplies; digital minilab supplies; and GC/MS supplies, instruments and parts.</li> <li>▪ Prepare request for proposal for consultancy services for achieving</li> </ul>

MONTH	ACTIVITIES
	<p>accreditations.</p> <ul style="list-style-type: none"> <li>▪ Obtain three price quotations for the digital minilab service maintenance. Agency will request for sole source as there is only one vendor on island that provides this service.</li> <li>▪ Obtain three price quotations for GC/MS software and workstation upgrade and maintenance of the GC/MS.</li> <li>▪ Request sole source approval from Guam GSA for the purchase of the FLIMS modules as the module must be compatible to the existing system that will be implemented in August 2009.</li> <li>▪ Forensic Examiners and Analyst will begin making plans to attend the forensic training in their disciplines.</li> </ul> <p>Documentation of about task will be forward to Special Programs for processing.</p>
Month 2	<ul style="list-style-type: none"> <li>▪ Special Programs will prepare the bid advertisement for the request for proposal and submit the bid advertisement to the Department of Administration for processing.</li> <li>▪ Special Programs will prepare the requisitions for processing at Department of Administration.</li> </ul>
Month 3	Request for proposal announcement (1 day).
Month 5	<p>Special programs will submit the itemized Forensic Quality Services contractual cost, course outline, and agenda to Special Programs. Special Programs will issues a memorandum to the Department of Administration that the Guam Police Department Forensic Science Division is seeking contractual services to conduct Forensic Quality Services training to seek accreditations standards. Special Programs will also prepare a letter to the Guam Community College and the University of Guam to determine if they provide training in the areas provided by the consultant proposal. Special Programs will prepare the requisition for the consultancy services.</p> <p>The Guam Police Department will coordinate with the vendor on the purchase of equipments and supplies, contractual services for the GC/MS software and workstation upgrade and maintenance, digital minilab service maintenance contract, FLIMS modules, CAFIS workstation.</p>
Month 6	Special Programs will coordinate with the selected consultant to schedule the workshop on Guam; the GC/MS software and workstation upgrade and maintenance schedule and digital minilab service.
Month 7-9	The Guam Police Department will prepare for the delivery of the supplies and equipments.
Month 10	Equipment is in place and operational.
Month 11	Forensic Analyst and Forensic Examiners will have completed the training within their disciplines at this time.
Month 12	Continue processing current and backlog case evidence in the Serology Unit, Firearm and Tool Mark Analysis Unit, Crime Scene Response Unit, Drug Unit, and Photo Lab Unit. Process grant project for closure, prepare final

MONTH	ACTIVITIES
	financial and close out narrative reports, prepare and submit the grant program evaluation and effectiveness report.

### **Evaluation Plan, Outcomes, and Effectiveness of the Program**

The program evaluation criteria will consist of the successful implementation of the CAFIS workstation, laser printer, handheld electronic gas leak detector for the GC/MS; successful implementation of the office and laser printer supplies for the forensic science section, digital minilab supplies for the photo lab unit, GC/MS supplies and parts for drug analysis unit GC/MS system; successful implementation of the forensic analyst and forensic examiners training in their perspective disciplines; successful implementation of the Consultancy services to assist the Forensic Science Division to achieve accreditation; successful implementation of the service contract for the digital minilab; successful implementation of the GC/MS software and workstation upgrade and full maintenance of the GC/MS system; and the successful implementation of the FLIMS additional modules. The program outcomes and effectiveness of the project will be based on the efficiencies that the Forensic Science Division will experience with the implementation of the forensic equipment and forensic supplies, consultancy services, equipment service maintenance, and equipment and software upgrade. The anticipated outcomes of this program are the following:

- Reduction in the delay in getting the evidence into the laboratory for analysis and reporting of results to the requesting agency;
- Reduction of backlog case evidence processing of a least 20%;
- Increased forensic quality of processed case evidence; and
- Increased laboratory personnel efforts towards the accreditation requirements.

The implementation of the forensic equipments, forensic supplies, specialized training, consultancy services and service contracts provided by this grant opportunity will dramatically increase the effectiveness and efficiencies of the Crimes Scene Response Section and the Forensic Science Section of the Guam Police Department Forensic Science Laboratory in improving the timeliness and quality of the forensic services provided and the reporting of results to the requesting agency.

**Paul Coverdell Forensic Science Improvement Grants Performance Measures**

To assist in fulfilling the State Administrative Agency’s responsibilities under the Government Performance and Results Act (GPRA), Public Law 103-62, the Guam Police Department’s Forensic Science Division will provide and report data that measures the results of the program. The Performance Measures are as follows:

<b>Objective</b>	<b>Performance Measures</b>	<b>Data Grantee Provides</b>
<p>To improve the quality and timeliness of forensic services and to reduce the number of backlogged cases in forensic laboratories.</p>	<p><b><i>Outcome Measure</i></b></p> <ol style="list-style-type: none"> <li>1. Reduction in the average number of days from sample submission to a forensic science laboratory and delivery of test results to a requesting office or agency.</li> <li>2. Percent reduction in the number of backlogged forensic cases.</li> </ol> <p><b><i>Output Measures</i></b></p> <p>The number of forensic science or medical examiner personnel who completed appropriate training or education opportunities with Coverdell funds (if applicable to the grant).</p>	<p>Average number of days to process a sample at the beginning of the grant period.</p> <p>Average number of days to process a sample at the end of the grant period.</p> <p>Number of backlogged cases at the beginning of the grant period.</p> <p>Number of backlogged cases at the end of the grant period.</p> <p>Number of forensic science personnel attending training.</p> <p>Number of medical examiner personnel attending training programs.</p>

**Description of the Applicant’s Plan for the Collection of the Data Required for PM:**

The Bureau of Statistics and Plans has developed a monthly data table that encompasses the five disciplines within the forensic laboratory. The data table along with the GPRA Coverdell Performance Measures are provided to the Guam Police Department Forensic Science Division Criminalist III in the Drug Analysis and the Crime Scene Investigator Supervisor at the start date of the project. They are task with coordinating the collection of the data from each Unit within the Forensic Laboratory monthly. The Criminalist III and the Crime Scene Investigator Supervisor will compile the data monthly, analyze the data quarterly and submits it to the Bureau fifteen days after the end of the calendar year quarter along with the quarterly progress report.

**Attachment 2**

**FY 2009 Paul Coverdell External Investigations**

**FY 2009 Coverdell Forensic Science Improvements Grants Program  
Attachment: External Investigations**

The "Certification as to External Investigations" that is submitted on behalf of the applicant agency as part of this application certifies that—

A government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility that will receive a portion of the grant amount.

Prior to receiving funds, the applicant agency (that is, the agency applying directing to the National Institute of Justice) must provide—for each forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility that will receive a portion of the grant amount—the name of the "government entity" (or entities) that form the basis for the certification.

**IMPORTANT NOTE:** If necessary for accuracy, list more than one entity with respect to each intended recipient of a portion of the grant amount. For example, if no single entity has an appropriate process in place with respect to allegations of serious negligence as well as serious misconduct, it will be necessary to list more than one entity. Similarly, if no single entity has an appropriate process in place with respect to allegations concerning contractors as well as employees, it will be necessary to list more than one entity.

Additional guidance regarding the "Certification as to External Investigations" appears in the "Eligibility" section of the program announcement for the FY 2009 Coverdell program.

Name of Applicant Agency (including Name of State or Unit of Local Government):

Bureau of Statistics and Plans

Date: MAY 28 2009

Name of any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility that will receive a portion of the grant amount	Existing government entity (or entities) with an appropriate process in place to conduct independent external investigations
1. Guam Police Department Forensic Science Laboratory	Internal Affairs Units, Guam Police Department
2.	

### **Attachment 3**

#### **FY 2009 Paul Coverdell Budget Narrative**

##### ***State Administrative Agency Cost***

##### **Office Supplies**

Office Supplies and Computer Supplies The State Administrative Agency will use the administrative cost to purchase the necessary office supplies to be used towards the general administration of the program. The supplies include the following: Office supplies to include pens, copier paper, correction fluid, binders, sheet protectors, folders, and other related office supplies; and Computer supplies to include toner cartridge, flash drive, antivirus software renewal and other related computer supplies (Administrative Cost) \$449.75 per month x 12 months. Estimated Office Supplies Cost: \$5,076.

##### ***Subrecipient Cost***

##### **Training**

Forensic Science Training to include but not limited to the following: “International Symposium on Human Identification”, “Crime Scene Investigation”, “American Academy of Forensic Sciences”, and “Firearm and Toolmark”. The Guam Police Department Forensic Science Division staff (forensic analyst and forensic examiners) to attend specialized training related to their discipline to include crime scene investigation, forensic biology, forensic chemistry, fingerprint/latent prints, physical evidence, quality assurance, drugs/toxicology, digital photography courses to increase the analyst's and examiner's knowledge of new methods and instrumentation, and to demonstrate to the general public and the criminal justice system that the laboratory output is of the highest quality and that the procedures used meet established standards. Estimated Purchase Cost: \$38,800 (Airfare: \$2500 x 8 trainings = \$20,000, Per

Diem: \$275 x 5 training days x 1 travel day x 8 training = \$13,200, and Registration Fees: \$700 x 8 registration fees = \$5,600).

## **Equipment**

Cogent Automated Fingerprint/Palm Print Identification System (CAFIS) (Fingerprint/Latent Analysis Unit). This system will increase the fingerprint examiners capacity to enter the backlog ten print cards/latent prints, to build the laboratory AFIS data base in order to process, edit, search, retrieve, and store fingerprint images and subject records. Estimated Cost: \$21,000.

HP Laser Printer P4000 series (Serology Unit and Drug Analysis Unit). The laser printer is for Drug Analysis and Serology use. This is an ultra fast laser printer with security features, optional networking capability, management tools, and upgrade options that produces evidence grade results. Estimated Purchase Cost: \$2,700

Handheld Electronic Gas Leak Detector for the Gas Chromatograph Mass Spectrometer (Drug Analysis Unit) – This equipment is used to quickly identify leaks in the GC/MS system. Gas leaks can cause detector noise and baseline instability, shorten column life and waste expensive carrier gas. Estimated Purchase Cost: \$1,500

## **Supplies**

Office and Laser Printer supplies (Serology Unit and Drug Analysis Unit). The supplies are for serology and drug analysis. The supplies include HP laser printer toners, copier paper and thumb drives to print and store forensic evidence results. Estimated Purchase Cost: \$2,000

Digital Minilab Frontier 500 Supplies (Photo Lab Unit). The supplies are for the photo lab digital minilab. The supplies include compact disks recordable, compact disk hard sleeve, digital minilab supplies to include paper and ink to archive the digital photos and to print evidence. Estimated Purchase Cost: \$3,000

Agilent GC/MS General Supplies, Instrument Parts and Supplies (Drug Analysis Unit). The supplies are for Drug Analysis GC/MS. The general supplies include the following: microvolume inserts, tubing, vials, caps, septa, electronic crimper and decapper, hardware fittings, and oxygen hydrocarbon gas scrubber. The instrument parts and supplies include the following: headspace supplies purge and trap supplies, instrument parts, detector parts and any other instrument parts and supplies necessary to keep the GC/MS operating at optimal conditions. Estimated Purchase Cost: \$3,000.

### **Contractual**

Consultancy Services for Accreditation Workshop. This workshop will assist the department in meeting accreditation standards. The workshop involves how to write a quality manual, understanding ISO 17025, internal auditing, and corrective action management workshop. Estimated Consultancy Services Cost: \$22,670. The cost involves a five day Workshop up to 30 attendees with two instructors at \$11,250; roundtrip Airfare from Florida to Guam at \$2700 per person for two instructors totaling \$5,400; and five training days plus 2 travel day using GSA Per Diem Rate at \$215 for two instructors and seven days of per diem totaling \$8,410.

Digital Minilab Frontier 500 Maintenance (Photo Lab Unit). This is a one year maintenance contract for the Digital Minilab that includes one maintenance call every four months, twenty percent discount on parts and emergency labor, and includes parts which are required to be changed during the maintenance call to optimized quality or correct malfunctions. Estimated Purchase Cost: \$5,000.

Gas Chromatograph Mass Spectrometer (GC/MS) Software and Workstation Upgrade and Maintenance (Drug Analysis Unit). The gas chromatograph mass spectrometer was purchased in 1998. Funds will be used to upgrade the software and workstation on the GC/MS to Windows XP or higher and to conduct a full engineer level maintenance service on the GC/MS. Estimated Purchase Cost: \$15,000.

Forensic Laboratory Management Information System Modules. Additional resources are needed to implement a full forensic laboratory management information system. Additional modules are needed as the current funding under the 2007 Paul Coverdell is not sufficient. Estimated Purchase Cost: \$23,040.

### **Other Costs**

Bid Advertisements for equipments over \$15,000 and contractual services. Estimated Purchase Cost: \$300

**FY 2009 Paul Coverdell Budget Detail Worksheet and Budget Summary**

**FY 2009 Paul Coverdell Forensic Science Improvement Grant Program**

**Base Funds Budget Detail Worksheet and Budget Summary**

**A. Personnel**--List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Position</u>	<u>Computation</u>	<u>Cost</u>
		<b>TOTAL PERSONNEL</b>
		\$0

**B. Fringe Benefits**--Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

<b>TOTAL FRINGE BENEFITS</b>	\$0
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**C. Travel**-- Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meetings, etc. Show the basis of computation (e.g., six people 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects travel and meals for trainees should be listed separately. Show the number of trainees and unit cost involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

<u>Purpose of Travel</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Forensic Sciences Training to include Airfare but not limited to the following:		\$2500 x 8 training	\$20,000
"International Symposium on Human Identification"			
"American Academy of Forensic Sciences"			
"Crime Scene Investigations"			
"Advanced Latent Print Development"			
"Digital Photography for Law Enforcement"			
"Drugs and Toxicology"			
"Firearm and Tool mark"			
	PerDiem	\$275 x 5 training days x 1 travel day x 8	\$13,200
(Applicant Travel Regulations Applied)	Registration Fees	\$700 x 8 registration fee	\$5,600
<i>Guam Police Department Forensic Science Division staff (forensic analyst and forensic examiners) to attend training related to their discipline to include crime scene investigation, forensic biology, forensic chemistry, fingerprint/latent prints, physical evidence, quality assurance, drugs/toxicology, digital photography courses to increase the analyst's and examiner's knowledge of new methods and instrumentation and keep the analyst and examiner abreast with the latest forensic techniques and trends in the forensic science field</i>			
<i>Location: Continental United States or Guam</i>			
<i>Dates: To be Announced</i>			
<b>TOTAL TRAVEL</b>			\$38,800

**D. Equipment--** List non-expendable items that are to be purchased. (Note: Organization's own capitalization policy for classification of equipment should be used. Expendable items should be included in the "Supplies" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Cogent Automated Fingerprint/Palm Print Identification System (CAFIS) (Fingerprint/Latent Print Unit)	\$21,000 x 1	\$21,000
HP Laser Printer P4000 Series (Serology Unit and Drug Analysis Unit)	\$2,700 x 1	\$2,700
Handheld Electronic Gas Leak Detector for Gas Chromatograph Mass Spectrometer (Drug Analysis Unit)	\$1,500 x 1	\$1,500
<b>TOTAL EQUIPMENT</b>		<b>\$25,200</b>

**E.-Supplies--**List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Office and laser printer supplies (Serology Unit and drug Analysis Unit)	\$2,000 x 1	\$2,000
Supplies for the Digital Minilab (Photo Lab Unit)	\$3,000 x 1	\$3,000
Gas chromatograph mass spectrometer supplies, instruments parts and supplies (Drug Analysis)	\$3,000 x 1	\$3,000
Office supplies to include pens, copier papier, correction fluid, binders, sheet protectors, folders, and other related office supplies; and Computer supplies to include toner cartridge, flash drive, antivirus software renewal and and other related computer supplies (Administrative Cost)	\$449.75 per month x 12 months	\$5,397
<b>TOTAL SUPPLIES</b>		<b>\$13,397</b>

**F. Construction--** As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Consult with the program office before budgeting funds in this category.

<u>Purpose</u>	<u>Description of Work</u>	<u>Cost</u>
<i>Not Applicable (N/A)</i>		
<b>TOTAL CONSTRUCTION</b>		<b>\$0</b>

**G. Consultants/Contracts--** Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisitions

**Consultant Fee:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
Unknown at this time	Five day workshop to achieve accreditation	\$11250 x 1 (2 instructors and up to 30 attendees)	\$11,250
		Sub total	\$11,250

**Consultant Expenses**

<u>Item</u>	<u>Location</u>	<u>Computation</u>	<u>Cost</u>
Unknown at this time		Roundtrip Airfare Florida to Guam \$2700 per person x 2 = \$5400	\$5,400
		5 training days plus 1 travel day using GSA Per Diem Rate: \$215 x 7 x 2 = \$8,410	\$3,010
		Sub Total	\$8,410

**Contracts**

<u>Item</u>	<u>Cost</u>
Maintenance for Digital Minilab (Photo Lab Unit)	\$5,000 x 1 \$5,000
Gas Chromatography Software and Workstation Upgrade and Full Service Maintenance (Drug Analysis Unit)	\$15,000 x 1 \$15,000
Forensic Laboratory Information Management System additional modules	\$23,040 x 1 \$23,040
	Sub Total \$43,040
<b>TOTAL CONSULTANTS/CONTRACTS</b>	
	<b>\$62,700</b>

**H. Other Costs--** List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot rent, and provide a monthly rental cost and how many months to rent.

Bid Advertisement for Request for Proposals (3 ads)	\$300
<b>TOTAL OTHER COSTS</b>	
	<b>\$300</b>

**I. Indirect Cost--** Indirect costs are allowed only if the applicant has Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

<i>Not Applicable (N/A)</i>	<b>TOTAL INDIRECT COST</b>
	<b>\$0</b>

<b>TOTAL BASE</b>	<b>\$140,397</b>
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**FY 2009 PAUL COVERDELL BASE BUDGET SUMMARY**

<u>Budget Category</u>	<u>Amount</u>
A. Personnel	\$0.00
B. Fringe Benefits	\$0.00
C. Travel	\$38,800.00
D. Equipment	\$25,200.00
E. Supplies	\$13,397.00
F. Construction	\$0.00
G. Consultants/Contracts	\$62,700.00
H. Other	\$300.00
I. Indirect Cost	\$0.00
<b>TOTAL</b>	<b>\$140,397.00</b>

## **Government of Guam Procurement Method Narrative**

### **Purchase Items**

The items to be procured under this grant funded project will be offered to viable authorized suppliers in an open-competitive bid proposal process.

### **Local Purchasing Guidelines**

Title 5 of the Guam Code Annotated Chapter 5 Article requires a competitive bid process for all equipment or contractual services except for situations in which sole source proprietary procurement and emergency procurement is justified due to extenuating circumstances.

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**PART F**  
**DUTIES OF THE ATTORNEY GENERAL**

§ 5150. Duties of the Attorney General.

**§ 5150. Duties of the Attorney General.**

The Attorney General, the Deputy Attorney General or such Assistant Attorneys General as the Attorney General may designate, shall serve as legal counsel and provide necessary legal services to the Policy Officer and the General Services Agency. The Attorney General shall, in addition, when he approves contracts, determine not only the correctness of their form, but their legality. In making such a determination of legality, he may require any or all agencies involved in the contract to supply him with evidence that the required procedures precedent to executing the contract were carried out. He may prescribe the forms and format required to be followed by the agencies in aiding him in his determination of legality.

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**ARTICLE 3**  
**SOURCE SELECTION AND CONTRACT FORMATION**

- Part A. Definitions.
- Part B. Methods of Source Selection.
- Part C. Cancellation of Invitations for Bids or Requests for Proposals.
- Part D. Qualifications and Duties.
- Part E. Types of Contracts.
- Part F. Inspection of Plant and Audit of Records.
- Part G. Determinations and Reports.

**PART A**  
**DEFINITIONS**

§ 5201. Definitions.

**§ 5201. Definitions.**

As used in this Chapter:

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(a) *Cost-Reimbursement Contract* means a contract under which a contractor is reimbursed for costs which are allowable and allocable in accordance with the contract terms and the provisions of this Chapter, and a fee, if any.

(b) *Established Catalogue Price* means the price included in a catalogue, price list, schedule or other form that:

(1) is regularly maintained by a manufacturer or contractor;

(2) is either published or otherwise available for inspection by customers; and

(3) states prices at which sales are currently or were last made to a significant number of any category of buyers or buyers constituting the general buying public for the supplies or services involved.

(c) *Invitation for Bids* means all documents, whether attached or incorporated by reference, utilized for soliciting bids.

(d) *Purchase Description* means the words used in a solicitation to describe the supplies, services or construction to be purchased, and includes specifications attached to, or made a part of, the solicitation.

(e) *Requests for Proposals* means all documents, whether attached or incorporated by reference, utilized for soliciting proposals.

(f) *Responsible Bidder or Officer* means a person who has the capability in all respects to perform fully the contract requirements, and the integrity and reliability which will assure good faith performance.

(g) *Responsive Bidder* means a person who has submitted a bid which conforms in all material respects to the Invitation for Bids.

**SOURCE:** GC § 6958. MPC § 3-101.

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**PART B  
METHODS OF SOURCE SELECTION**

- § 5210. Methods of Source Selection.
- § 5211. Competitive Sealed Bidding.
- § 5212. Bid Security and Performance Bond Requirement for Contractors.
- § 5213. Small Purchases.

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- § 5214. Sole Source Procurement.
- § 5215. Emergency Procurement.
- § 5216. Competitive Selection Procedures for Services Specified in § 5121 of this Chapter.
- § 5217. Procurement from Nonprofit Corporations.
- § 5218. Procurement of Products Manufactured from Recycled Glass.
- § 5219. Unsolicited Offers.

**§ 5210. Methods of Source Selection.**

(a) Unless other wise authorized by law, all territorial contracts shall be awarded by competitive sealed bidding, pursuant to § 5211 of this Article, except for the procurement of professional services and except as provided in:

- (1) Section 5212 of this Article; [see note below]
- (2) Section 5213 of this Article;
- (3) Section 5214 of this Article;
- (4) Section 5215 of this Article;
- (5) Section 5216 of this Article for services specified in § 5121 of this Chapter; or
- (6) Section 5217 of this Article.

(b) Nothing in this Section requiring competitive bidding shall prohibit the development of specifications which require compatibility with existing supplies, equipment or data processing systems.

**SOURCE:** GC § 6959. MPC § 3-202 modified. Subsections (a)(4) and (a)(5) amended, and (a)(6) added by P.L. 18-15:X:24.

**NOTE:** With respect to subsection (a)(1), section 5212 (regarding Competitive Sealed Proposals) was repealed in 1985 by P.L. 18-8:8. However, subsection (a) was not amended to reflect that repeal. In 2004, section 5212 was added as a new completely unrelated law (Bid Security and Performance Bond Requirement for Contractors) by P.L. 27-127:2.

**COMMENT:** In the past, some problems have arisen due to the requirement for competitive bidding for equipment which should have been, but was not, compatible with existing equipment. The reason alleged was that the lowest bidder had to be chosen. Of course, the proper writing of specifications could have prevented the problem and Subsection (b) makes clear that compatibility may be a legitimate part of the specifications. Changed by Committee on GGO.

**§ 5211. Competitive Sealed Bidding.**

(a) Conditions for Use. Contracts shall be awarded by competitive sealed bidding except as otherwise provided in § 5210 of this Article.

(b) Invitation for Bids. An Invitation for Bids shall be issued and shall include a purchase description, a recitation of the Wage Determination most recently issued by the U.S. Department of Labor, and all contractual terms and conditions applicable to the procurement including a demonstration of compliance with §§ 5801 & 5802 of this Chapter, if applicable..

(c) Public Notice. Adequate public notice of the Invitation for Bids shall be given a reasonable time prior to the date set forth therein for the opening of bids, in accordance with regulations promulgated by the Policy Office. Such notice may include publication in a newspaper of general circulation a reasonable time prior to bid opening. If a bid is given public notice which is within the time specified in the Policy Office's rules and regulations on the subject, it shall not be challenged unless the bidder can show exceptional circumstances which would render the rules and regulations inapplicable in the case of a particular bid being requested.

(d) Bid Opening. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the Invitation for Bids. The amount of each bid, and such other relevant information as may be specified by regulation, together with the name of each bidder shall be recorded; the record and each bid shall be open to public inspection.

(e) Bid Acceptance and Bid Evaluation. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this Chapter. Bids shall be evaluated based on the requirements set forth in the Invitation for Bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs. The Invitation for Bids shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluation that are not set forth in the Invitation for Bids.

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(f) Correction or Withdrawal of Bids; Cancellation of Awards. Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted in accordance with regulations promulgated by the Policy Office. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the Territory or fair competition shall be permitted. Except as otherwise provided by regulation, all decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the Chief Procurement Officer, the Director of Public Works or head of a purchasing agency.

(g) Award. The contract shall be awarded with reasonable promptness by written notice to the lowest responsible bidder whose bid meets the requirements and criteria set forth in the Invitation for Bids and whose bid amount is sufficient to comply with Article 13 of this Chapter, if applicable. In the event all bids for a construction project exceed available funds as certified by the appropriate fiscal officer, and the low responsive and responsible bid does not exceed such funds by more than five percent (5%), the Chief Procurement Officer, the Director of Public Works, or the head of a purchasing agency, is authorized, in situations where time or economic considerations preclude resolicitation of work of a reduced scope, to negotiate an adjustment of the bid price, including changes in the bid requirements, with the low responsive and responsible bidder, in order to bring the bid within the amount of available funds.

(h) Multi-Step Sealed Bidding. When it is considered impractical to initially prepare a purchase description to support an award based on price, an Invitation for Bids may be issued requesting the submission of unpriced offers to be followed by an Invitation for Bids limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.

**SOURCE:** GC § 6959.1. MPC § 3-202; Subsection (c) modified. Subsection (b) amended by P.L. 28-165:3 (Jan. 4, 2007). Subsection (g) amended by P.L. 28-165:4 (Jan. 4, 2007).

**COMMENT:** See Official Comments for full commentary. Subsection (c) is modified to make sure that a dissatisfied bidder cannot challenge a bid because of lack of time where the bid is in conformance with the rules and regulations unless there has been some serious and exceptional reason for the challenge, such as where the time for bids was extended and, for some reason, one bidder was not notified. Further modified by P.L. 28-165 (Jan. 4, 2007).

**§ 5212. Bid Security and Performance Bond Requirement for Contractors.**

(a) Requirement for Bid Security. Bid security shall be required for all competitive sealed bidding for the procurement of supplies or services when the total price is estimated by the Chief Procurement Officer to exceed Twenty-Five Thousand Dollars (\$25,000.00). Bid security shall be a bond provided by a surety company authorized to do business in Guam, or the equivalent in cash, or otherwise supplied in a form satisfactory to the government of Guam. Nothing herein prevents the requirement of such bonds on the procurement of supplies or services totaling fewer than Twenty-Five Thousand Dollars (\$25,000.00) when a written determination and justification for such requirement is included as an integral part of the Invitation for Bid solicitation package.

(b) Amount of Bid Security. Bid security shall be in an amount equal to fifteen percent (15%) of the total amount bid.

(c) Release of Bid Security. The bid security required above under any applicable Invitation for Bid shall not be released upon award of the bid, but instead shall continue in full force and effect until delivery of the supplies or services required by any contract awarded to contractor under the associated Invitation for Bid is completed.

(d) Action against Bid Security. In the event that a successful bidder fails to complete delivery of supplies or services as required in the contract between such contractor and the government of Guam, the government of Guam may proceed to procure such supplies or services from the next lowest bidder who is able to deliver such supplies or services. The government of Guam may retain so much of the bid security as may be required to compensate the government for damages arising from contractor's failure to complete delivery of such supplies or services, and the government of Guam may also bring an action in the Superior Court of Guam against the contractor for direct damages, if any, beyond the amount of the bid security posted except that no action against bid security maybe taken in such circumstances where supplies or services are terminated due to the government of Guam's failure to pay for such services or supplies on a timely basis.

(e) Rejection of Bids for Noncompliance with Bid Security Requirements. When the Invitation for Bids requires bid security, noncompliance requires that the bid be rejected unless, pursuant to

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Policy Office regulations, it is determined that the bid fails to comply in a non-substantial manner with the security requirements.

(f) **Withdrawal of Bids.** After the bids are opened, they shall be irrevocable for the period specified in the Invitation for Bids, except as provided in §§ 5211(f) of this Chapter. If a bidder is permitted to withdraw its bid before award, no action shall be had against the bidder or the bid security.

(g) **No Requirement for Performance Bond.** The bid security that shall be held until complete delivery of the supplies or services by the successful bidder is deemed to be satisfactory to adequately protect the best interest of the government of Guam, from default, and thus, no separate performance bond shall be required of the successful bidder on a contract for supplies or services.

(h) **Bond Forms.** The Policy Office shall promulgate by regulation the form of the bond or other bid security required by this Section together with any additional regulations necessary for the administration of this Section. Any person may request and obtain from the Government of Guam a certified copy of a bond upon payment of the cost of reproduction of the bond and postage, if any. A certified copy of a bond shall be prima facie evidence of the contents, execution and delivery of the original.

**SOURCE:** Added by P.L. 27-127:2.

**§ 5213. Small Purchases.**

Any procurement not exceeding the amount established by regulation may be made in accordance with small purchase procedures promulgated by the Policy Office, provided, however, that procurement requirements shall not be artificially divided so as to constitute a small purchase under this Section.

**SOURCE:** GC § 6959.3. MPC § 3-204.

**§ 5214. Sole Source Procurement.**

A contract may be awarded for a supply, service, or construction item without competition when, under regulations promulgated by the Policy Office, the Chief Procurement Officer, the Director of Public Works, the head of a purchasing agency, or a designee of either officer above the level of the Procurement Officer determines in writing that

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there is only one source for the required supply, service or construction item.

**SOURCE:** GC § 6959.4. MPC § 3-205.

**§ 5215. Emergency Procurements.**

Notwithstanding any other provision of this Chapter, the Chief Procurement Officer, the Director of Public Works, the head of a purchasing agency, or a designee of either officer may make or authorize others to make emergency procurements when there exists a threat to public health, welfare, or safety under emergency conditions as defined in regulations promulgated by the Policy Office; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances, and further provided that the procurement agent must solicit at least three (3) informal price quotations, if time allows must give notice to all contractors from the qualified bid list who have provided the needed supplies and services to the government within the preceding twelve (12) months, and must award the procurement to the firm with the best offer, as determined by evaluating cost and delivery time. No emergency procurement or combination of emergency procurements may be made for an amount of goods or supplies greater than the amount of such goods and supplies which is necessary to meet an emergency for the thirty (30) day period immediately following the procurement. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. The requirements for a written determination for the emergency shall be met if the procurements are being made on the basis of the Governor's declaration of an emergency situation by Executive Order if such Order states that emergency procurement may be resorted to for the purposes of the Order. Unless authorized by an Executive Order declaring an emergency, no emergency procurement may be made except on a certificate made under penalty of perjury by the Chief Procurement Officer, Director of Public Works or the head of a purchasing agency, as the case may be. Certified copies of the certificate shall be sent, prior to award and as a condition thereof, to the Governor and Speaker of the Legislature. The certificate shall contain the following:

- (1) a statement of the facts giving rise to the emergency;

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(2) the factual basis of the determination that an emergency procurement is necessary; and

(3) a statement that emergency procurement is not being used solely for the purpose of avoidance of the provisions of this Chapter.

In addition to any other requirement, the Governor must approve in writing all authorizations for emergency procurement.

**SOURCE:** GC § 6959.5. MPC § 3-206. Amended by P.L. 18-44:23.

**§ 5216. Competitive Selection Procedures for Services Specified in § 5121 of this Chapter.**

(a) Conditions for Use. The services specified in § 5121(a) of this Chapter shall be procured in accordance with this Section, except as authorized under §§ 5214 or 5215 of this Chapter. Services for architecture, engineering, construction, land surveying, environmental assessment and other such services shall be procured in accordance with Article 5 of this Chapter.

(b) Statement of Qualifications. Persons engaged in providing the types of services specified in § 5121(a) of this Chapter may submit statements of qualifications and expressions of interest in providing such types of services. The Procurement Officer may specify a uniform format for statements of qualifications. Persons may amend these statements at any time by filing a new statement.

(c) Public Announcement and Form of Request for Proposals. Adequate notice of the need for such services shall be given by the purchasing agency through a Request for Proposals. The Request for Proposals shall describe the services required, list the type of information and data required of each offeror, and state the relative importance of particular qualifications.

(d) Discussions. The head of the purchasing agency or a designee of such officer may conduct discussions with any offeror who has submitted a proposal to determine such offeror's qualifications for further consideration. Discussions shall not disclose any information derived from proposals submitted by other offerors.

(e) Award. Award shall be made to the offeror determined in writing by the head of the purchasing agency or a designee of such

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officer to be best qualified based on the evaluation factors set forth in the Request for Proposals, and negotiation of compensation determined to be fair and reasonable. If compensation cannot be agreed upon with the best qualified offeror, the negotiations will be formally terminated with the selected offeror. If proposals were submitted by one or more other offerors determined to be qualified, negotiations may be conducted with such other offeror or offerors, in the order of their respective qualification ranking, and the contract may be awarded to the offeror then ranked as best qualified if the amount of compensation is determined to be fair and reasonable.

**SOURCE:** GC § 6959.6. MPC § 3-207. Subsection (a) amended by P.L. 18-44:32.

**§ 5217. Procurement from Nonprofit Corporations.**

A contract may be awarded for a supply or service without competition when the contractor is a nonprofit corporation employing sheltered or handicapped workers. As a condition of the award of the contract the contractor must certify that labor on the project will be performed by handicapped persons except that supervisory personnel do not have to be handicapped. A contractor awarded a contract pursuant to this Section shall not be required to post any of the bonds required under Article 5 of this Chapter.

**SOURCE:** GC § 6959.7 added by P.L. 18-15:X:25.

**§5218. Procurement of Products Manufactured from Recycled Glass.**

Each Request for Proposal, Request for Price Quotation, Request for Bid or any other method used for the procurement of services and construction where the project includes concrete or asphalt paving, construction and repair of highways, including all secondary and tertiary roads, shall include the requirement that the individual or company submitting a response to any request for proposal, price quotation, bid or procurement includes the purchase of available recycled glass pulverized on Guam or appropriate products manufactured therefrom. In all contracts for concrete or asphalt paving, construction and repair of highways, including all secondary and tertiary roads, the administrator of the contract shall determine the suitable percentage of recycled glass to be used in the project and, as a condition of the award of the contract, shall require the contractor to identify and certify in writing the percentage of recycled glass contained in the material offered.

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**SOURCE:** Added by P.L. 24-100:2.

**§ 5219. Unsolicited Offers.**

(a) Defined. An unsolicited offer is any offer other than one submitted in response to a solicitation.

(b) Processing of Unsolicited Offers. The Chief Procurement Officer, the Director of Public Works or the head of the Purchasing Agency shall consider the offer as provided in this Section. *If* an agency that receives an unsolicited offer is *not* authorized to solicit or enter into a contract for the supplies, services or construction offered, the head of such agency shall forward the offer to the Chief Procurement Officer, the Director of Public Works or the head of a Purchasing Agency, who shall consider and evaluate the offer as provided in this Section.

(c) Conditions for Consideration. To be considered for evaluation, an unsolicited offer:

(1) must be in writing;

(2) must be sufficiently detailed to allow a judgment to be made concerning the potential utility of the offer to Guam and to the government;

(3) must be unique or innovative to Guam's and the government's use; *and*

(4) may be subject to testing under terms and conditions specified by the government.

(d) Evaluation. The unsolicited offer shall be evaluated to determine its utility to Guam and to the government, and whether it would be to Guam's and the government's advantage to procure such service.

(e) Competitive Sealed Bidding Required. All unsolicited offers considered as being desirable shall be subjected to the Competitive Sealed Bidding process under § 5211. Notwithstanding any other provision of law, sole source procurement shall *not* be permissible in any procurement arising from an unsolicited offer. The criteria set forth in the Invitation for Bids shall *not* require the inclusion of any proprietary item proposed in the unsolicited offer, and the proprietary character of an unsolicited offer or the inclusion of a proprietary item in the unsolicited offer shall *not* be used to favor the offer or any other bid, nor be a determining factor in awarding a bid. Such Invitation for Bids shall *not* contain any reference to the financial offer of the unsolicited offeror, but shall contain a sufficient technical

**5 GCA GOVERNMENT OPERATIONS  
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description to allow other parties to identify the technical concept of the offer, and to prepare bids.

**SOURCE:** Added by P.L. 25:31:2 as § 1518; renumbered by Compiler.

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**PART C  
CANCELLATION OF INVITATIONS FOR BIDS OR  
REQUESTS FOR PROPOSALS**

§ 5225. Cancellation of Invitations for Bids or Requests for Proposals.

**§ 5225. Cancellation of Invitations for Bids or Requests for Proposals.**

An Invitation for Bids, a Request for Proposals, or other solicitation may be cancelled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation, when it is in the best interests of the Territory in accordance with regulations promulgated by the Policy Office. The reasons therefor shall be made part of the contract file.

**SOURCE:** GC § 6960. MPC § 3-301.

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**PART D  
QUALIFICATIONS AND DUTIES**

§ 5230. Responsibility of Bidders and Offerors.

§ 5231. Prequalification of Suppliers.

§ 5232. Cost or Pricing Data.

§ 5233. Disclosure of Major Shareholders.

**§ 5230. Responsibility of Bidders and Offerors.**

(a) Determination of Nonresponsibility. A written determination of nonresponsibility of a bidder or offeror shall be made in accordance with regulations promulgated by the Policy Office. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of nonresponsibility with respect to such bidder or offeror.

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(b) Right of Nondisclosure. Information furnished by a bidder or offeror pursuant to this Section shall not be disclosed outside of the General Services Agency, the Department of Public Works or the purchasing agency without prior written consent by the bidder or offeror, but may be disclosed to the Attorney General at any time.

**SOURCE:** GC § 6961. MPC § 3-401 modified.

**COMMENT:** Subsection (b) is modified to make it clear that the Attorney General, as counsel to the government in general and to the GSA in particular, may review all data. In the past some have argued that confidential information protected in a manner of the original MPC (not mentioning the Attorney General) was not to be revealed to the Attorney General even when the agency was requesting a legal opinion on that same information.

**§ 5231. Prequalification of Suppliers.**

Prospective suppliers may be prequalified for particular types of supplies, services and construction. Solicitation mailing lists of potential contractors shall include but shall not be limited to such prequalified suppliers.

**SOURCE:** GC § 6961.1. MPC § 3-402.

**§ 5232. Cost or Pricing Data.**

(a) Contractor Certification. A contractor shall, except as provided in Subsection (c) of this Section, submit cost or pricing data and shall certify that, to the best of its knowledge and belief, the cost or pricing data submitted was accurate, complete, and current as of a mutually determined specified date prior to the date of:

(1) the pricing of any contract awarded pursuant to the sole source procurement authority (§ 5214) where the total contract price is expected to exceed an amount established by Policy Office regulations; or

(2) the pricing of any change order or contract modification which is expected to exceed an amount established by Policy Office regulations.

(b) Price Adjustment. Any contract, change order, or contract modification under which a certificate is required shall contain a provision that the price to the Territory, including profit or fee, shall be adjusted to exclude any significant sums by which the Territory finds that such price was increased because the contractor- furnished cost or pricing data was inaccurate, incomplete or not current as of the date

**5 GCA GOVERNMENT OPERATIONS  
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agreed upon between the parties. The price shall also be adjusted to reflect the non-payment by the contractor of any taxes which would have been paid by him were it not for the exclusion provided by 11 GCA § 26203(k)(14) (Gross Receipts Tax).

(c) Cost or Pricing Data Not Required. The requirements of this Section need not be applied to contracts:

- (1) where the contract is based on adequate price competition;
- (2) where the contract price is based on established catalogue prices or market prices;
- (3) where contract prices are set by law or regulation; or
- (4) where it is determined in writing in accordance with regulations promulgated by the Policy Office that the requirements of this Section may be waived, and the reasons for such waiver are stated in writing.

**SOURCE:** GC § 6961.2. MPC § 3-403.

**COMMENT:** The words "by competitive sealed proposals (§ 5212) or" have been deleted from this section as the section authorizing such competitive sealed proposals has been repealed from this Chapter.

**§ 5233. Disclosure of Major Shareholders.**

As a condition of bidding, any partnership, sole proprietorship or corporation doing business with the government of Guam shall submit an affidavit executed under oath that lists the name and address of any person who has held more than ten percent (10%) of the outstanding interest or shares in said partnership, sole proprietorship or corporation at any time during the twelve (12) month period immediately preceding submission of a bid. The affidavit shall contain the number of shares or the percentage of all assets of such partnership, sole proprietorship or corporation which have held by each such person during the twelve (12) month period. In addition, the affidavit shall contain the name and address of any person who has received or is entitled to receive a commission, gratuity or other compensation for procuring or assisting in obtaining business related to the bid for the bidder and shall also contain the amounts of any such commission, gratuity or other compensation. The affidavit shall be open and available to the public for inspection and copying.

**SOURCE:** Added by P.L. 18-44:44.

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**PART E**  
**TYPES OF CONTRACTS**

- § 5235. Types of Contracts.
- § 5236. Approval of Accounting System.
- § 5237. Multi-Year Contracts.

**§ 5235. Types of Contracts.**

Subject to the limitations of this Section, any type of contract which will promote the best interest of the Territory may be used; provided that the use of cost-plus-a-percentage-of-cost contract is prohibited. A cost-reimbursement contract may be used only when a determination is made in writing that such contract is likely to be less costly to the Territory than any other type or that it is impracticable to obtain the supplies, services or construction required except under such contract.

**SOURCE:** GC § 6962. MPC § 3-501.

**§ 5236. Approval of Accounting System.**

Except with respect to firm fixed-price contracts, no contract type shall be used unless it has been determined in writing by the Chief Procurement Officer, the Director of Public Works, the head of a Purchasing Agency, or a designee of any such officer that:

- (a) the proposed contractor's accounting system will permit timely development of all necessary cost data in the form required by the specific contract type contemplated; and
- (b) the proposed contractor's accounting system is adequate to allocate costs in accordance with generally accepted accounting principles.

**SOURCE:** GC § 6962.1. MPC § 3-502.

**§ 5237. Multi-Year Contracts.**

(a) Specified Period. Unless otherwise provided by law, a contract for supplies or services may be entered into for any period of time deemed to be in the best interests of the Territory provided the term of the contract and conditions of renewal or extension, if any, are included in the solicitation and funds are available for the first fiscal period at the time of contracting. Payment and performance obligations for succeeding fiscal periods shall be subject to the availability and appropriation of funds therefor.

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(b) Determination Prior to Use. Prior to the utilization of a multi-year contract, it shall be determined in writing:

(1) that estimated requirements cover the period of the contract and are reasonably firm and continuing; and

(2) that such a contract will serve the best interests of the Territory by encouraging effective competition or otherwise promoting economies in territory procurement.

(c) Cancellation Due to Unavailability of Funds in Succeeding Fiscal Periods. When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the contract shall be cancelled and the contractor shall be reimbursed for the reasonable value of any non-recurring costs incurred but not amortized in the price of the supplies or services delivered under the contract. The cost of cancellation may be paid from any appropriations available for such purposes.

**SOURCE:** GC § 6962.2. MPC § 3-503.

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**PART F**

**INSPECTION OF PLANT AND AUDIT OF RECORDS**

§ 5240. Right to Inspect Plant.

§ 5241. Right to Audit Records.

**§ 5240. Right to Inspect Plant.**

The Territory may, at reasonable times, inspect the part of the plant or place of business of a contractor or any subcontractor which is related to the performance of any contract awarded or to be awarded by the Territory.

**SOURCE:** GC § 6963. MPC § 3-601.

**§ 5241. Right to Audit Records.**

(a) Audit of Cost or Pricing Data. The Territory may, at reasonable times and places, audit the books and records of any person who has submitted costs or pricing data pursuant to § 5232 of this Chapter to the extent that such books and records relate to such cost or pricing data. Any person who receives a contract, change order, or contract modification for which cost or pricing data is required shall maintain such books and records that relate to such cost or pricing data for three (3) years from the date of

**5 GCA GOVERNMENT OPERATIONS  
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final payment under the contract, unless a shorter period is otherwise authorized in writing.

(b) Contract Audit. The Territory shall be entitled to audit the books and records of a contractor or any subcontractor under any negotiated contract or subcontract other than a firm fixed price contract to the extent that such books and records relate to the performance of such contract or subcontract. Such books and records shall be maintained by the contractor for a period of three (3) years from the date of final payment under the prime contract and by the subcontractor for a period of three (3) years from the date of final payment under the subcontract, unless a shorter period is otherwise authorized in writing.

**SOURCE:** GC § 6963.1. MPC § 3-602.

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**PART G  
DETERMINATIONS AND REPORTS**

- § 5245. Finality of Determinations.
- § 5246. Reporting of Anticompetitive Practices.
- § 5247. Retention of Procurement Records.
- § 5248. Record of Procurement Actions Taken Under §§ 5214 and 5215 of this Chapter.
- § 5249. Record of Procurement Actions.
- § 5250. Certification of Record.
- § 5251. Public Record.
- § 5252. Rules for Procurement Records.
- § 5253. Restriction Against Contractors Employing Convicted Sex Offenders from Working at Government of Guam Venues.

**§ 5245. Finality of Determinations.**

The determinations required by §§ 5211(f), 5212(a), 5212(g), 5214, 5215, 5216(e), 5230(a), 5232(c), 5235, 5236 and 5237(b) of this Chapter are final and conclusive unless they are clearly erroneous, arbitrary, capricious or contrary to law.

**SOURCE:** GC § 6964. MPC § 3-701.

**§ 5246. Reporting of Anticompetitive Practices.**

**5 GCA GOVERNMENT OPERATIONS**  
**CH. 5 GUAM PROCUREMENT LAW**

When for any reason collusion or other anticompetitive practices are suspected among any bidders or offerors, a notice of the relevant facts shall be transmitted to the Attorney General.

**SOURCE:** GC § 6964.1. MPC § 3-702.

**COMMENT:** Reference to Territorial Prosecutor deleted by Compiler because all prosecution functions have been returned to the Attorney General following the determination by the District Court, Appellate Division that the Territorial Prosecutor Act was contrary to the Organic Act and thus null and void. *Territorial Prosecutor for the Territory of Guam, People of the Territory of Guam, Petitioners, v. Superior Court of Guam, Respondent. Peter M. Perez, et al., Real Parties in Interest*, D.C. Civ. App. 82-0215, D.C. Guam, App. Div. May 26, 1983.

**§ 5247. Retention of Procurement Records.**

All procurement records shall be retained and disposed of in accordance with records retention guidelines and schedules approved by the Attorney General. All retained documents shall be made available to the Attorney General or a designee upon request and proper receipt therefor.

**SOURCE:** GC § 6964.2. MPC § 3-703.

**§ 5248. Record of Procurement Actions Taken Under §§ 5214 and 5215 of this Chapter.**

(a) Contents of Record. The Chief Procurement Officer or the Director of Public Works shall maintain a record listing of all contracts made under § 5214 or § 5215 of this Chapter for a minimum of five (5) years. The record shall contain:

- (1) each contractor's name;
- (2) the amount and type of each contract; and
- (3) a listing of the supplies, services or construction procured under each contract.

(b) Submission to Legislature. A copy of such record shall be submitted to the Legislature on an annual basis. The record shall be available for public inspection.

**SOURCE:** GC § 6964.3. MPC § 3-704.

**§ 5249. Record Of Procurement Actions.**

Each procurement officer shall maintain a complete record of each procurement. The record shall include the following:

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**CH. 5 GUAM PROCUREMENT LAW**

(a) the date, time, subject matter and names of participants at any meeting including government employees that is in any way related to a particular procurement;

(b) a log of all communications between government employees and any member of the public, potential bidder, vendor or manufacturer which is in any way related to the procurement;

(c) sound recordings of all pre-bid conferences; negotiations arising from a request for proposals and discussions with vendors concerning small purchase procurement;

(d) brochures and submittals of potential vendors, manufacturers or contractors, and all drafts, signed and dated by the draftsman, and other papers or materials used in the development of specifications; and

(e) the requesting agency's determination of need.

**SOURCE:** GC § 6964.4 added by P.L. 18-44:17.

**§ 5250. Certification of Record.**

No procurement award shall be made unless the responsible procurement officer certifies in writing under penalty of perjury that he has maintained the record required by § 5249 of this Chapter and that it is complete and available for public inspection. The certificate is itself a part of the record.

**SOURCE:** GC § 6964.5 added by P.L. 18-44:18.

**§ 5251. Public Record.**

The record required by § 5249 of this Chapter is a public record and, subject to rules promulgated by the Public Auditor, any person may inspect and copy any portion of the record.

**SOURCE:** GC § 6964.6 added by P.L. 18-44:19. Amended by P.L. 28-068:IV:66 (Sept. 30, 2005).

**§ 5252. Rules for Procurement Records.**

The rules promulgated pursuant to § 5251 of this Chapter shall:

- (a) protect the integrity of the bidding process;
- (b) protect the confidentiality of trade secrets;
- (c) establish reasonable charges for copying papers;

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CH. 5 GUAM PROCUREMENT LAW**

- (d) provide for transcription of sound recordings;
- (e) require public access to the record at the earliest possible time; and
- (f) not require that the record be complete or that the procurement award be made before inspection and copying are permitted.

**SOURCE:** GC § 6964.7 added by P.L. 18-44:20.

**§ 5253. Restriction Against Contractors Employing Convicted Sex Offenders from Working at Government of Guam Venues.**

(a) No person convicted of a sex offense under the provisions of Chapter 25 of Title 9 Guam Code Annotated, or an offense as defined in Article 2 of Chapter 28, Title 9 GCA in Guam, or an offense in any jurisdiction which includes, at a minimum, all of the elements of said offenses, or who is listed on the Sex Offender Registry, and who is employed by a business contracted to perform services for an agency or instrumentality of the government of Guam, shall work for his employer on the property of the government of Guam other than a public highway.

(b) All contracts for services to agencies listed herein shall include the following provisions: (1) warranties that no person providing services on behalf of the contractor has been convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA, or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed on the Sex Offender Registry; and (2) that if any person providing services on behalf of the contractor is convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed on the Sex Offender Registry, that such person will be immediately removed from working at said agency and that the administrator of said agency be informed of such within twenty-four (24) hours of such conviction.

(c) Duties of the General Services Agency or Procurement Administrators. All contracts, bids, or Requests for Proposals shall state all the conditions in §5253(b).

(d) Any contractor found in violation of §5253(b), after notice from

**5 GCA GOVERNMENT OPERATIONS  
CH. 5 GUAM PROCUREMENT LAW**

the contracting authority of such violation, shall, within twenty-four (24) hours, take corrective action and shall report such action to the contracting authority. Failure to take corrective action within the stipulated period may result in the temporary suspension of the contract at the discretion of the contracting authority.

**SOURCE:** Added by P.L. 28-24:2. Amended by P.L. 28-98:2 (Feb. 7, 2006).

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**ARTICLE 4  
SPECIFICATIONS**

- § 5260. Definitions.
- § 5261. Duties of the Policy Office.
- § 5262. Duties of the Chief Procurement Officer and Director of Public Works.
- § 5263. Exempted Items.
- § 5264. Relationship With Using Agencies.
- § 5265. Maximum Practicable Competition.
- § 5266. Specifications Prepared by Architects and Engineers.
- § 5267. Publication of Source of Specifications.
- § 5268. Salient Features.
- § 5269. Purchase of Drugs by Generic Names.
- § 5270. Government to Purchase Drugs from Manufacturer.
- § 5271. Prescription of Drugs by Generic Name.

**§ 5260. Definitions.**

As used in this Chapter Specification means any description of the physical or functional characteristics, or of the nature of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply, service or construction item for delivery.

**SOURCE:** GC § 6965. MPC § 4-101.

**§ 5261. Duties of the Policy Office.**

The Policy Office shall promulgate regulations governing the preparation, maintenance, and content of specifications for supplies, services and construction required by the Territory.

**SOURCE:** GC § 6965.1. MPC § 4-202.

**FY 2009 Paul Coverdell Statutory Certifications**

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
NATIONAL INSTITUTE OF JUSTICE

FY 2009 Coverdell Forensic Science Improvement Grants Program

Certification as to Plan for Forensic Science Laboratories— Application from **Guam**

On behalf of the applicant agency named below, I certify the following to the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice:

The State has developed a plan for forensic science laboratories under a program intended to improve the quality and timeliness of forensic science or medical examiner services in the State, including such services provided by the laboratories operated by the State and those operated by units of local government within the State.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the National Institute of Justice).



\_\_\_\_\_  
Signature of Certifying Official

ALBERTO A. LAMORENA V  
\_\_\_\_\_  
Printed Name of Certifying Official

DIRECTOR  
\_\_\_\_\_  
Title of Certifying Official

BUREAU OF STATISTICS AND PLANS - GUAM  
\_\_\_\_\_  
Name of Applicant Agency (Including Name of State)

MAY 28 2009

\_\_\_\_\_  
Date

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
NATIONAL INSTITUTE OF JUSTICE

FY 2009 Coverdell Forensic Science Improvement Grants Program

Certification as to Plan for Forensic Science Laboratories— Application from a **Unit of Local Government**

On behalf of the applicant agency named below, I certify the following to the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice:

This unit of local government has developed a plan for forensic science laboratories under a program intended to improve the quality and timeliness of forensic science or medical examiner services provided by the laboratories operated by the applicant unit of local government and any other government-operated laboratories within the State that will receive a portion of the grant amount.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the National Institute of Justice)



\_\_\_\_\_  
Signature of Certifying Official

ALBERTO A. LAMORENA V  
\_\_\_\_\_  
Printed Name of Certifying Official

DIRECTOR  
\_\_\_\_\_  
Title of Certifying Official

BUREAU OF STATISTICS AND PLANS  
\_\_\_\_\_  
Name of Applicant Agency  
(Including Name of Unit of Local Government)

MAY 28 2009

\_\_\_\_\_  
Date

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
NATIONAL INSTITUTE OF JUSTICE

FY 2009 Coverdell Forensic Science Improvement Grants Program

Certification as to Generally Accepted Laboratory Practices and Procedures

On behalf of the applicant agency named below, I certify the following to the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice:

Any forensic laboratory system, medical examiner's office, or coroner's office in the State, including any laboratory operated by a unit of local government within the State, that will receive any portion of the grant amount uses generally accepted laboratory practices and procedures, established by accrediting organizations or appropriate certifying bodies.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the National Institute of Justice).



Signature of Certifying Official

ALBERTO A. LAMORENA V

Printed Name of Certifying Official

DIRECTOR

Title of Certifying Official

BUREAU OF STATISTICS AND PLANS - GUAM

Name of Applicant Agency  
(Including Name of State or Unit of Local Government)

MAY 28 2009

Date

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
NATIONAL INSTITUTE OF JUSTICE

FY 2009 Coverdell Forensic Science Improvement Grants Program

Certification as to Use of Funds for New Facilities

On behalf of the applicant agency named below, I certify the following to the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice:

The amount of the grant (if any) used for the costs of any new facility or facilities to be constructed as part of a program to improve the quality and timeliness of forensic science and medical examiner services will not exceed the limitations set forth at 42 U.S.C. § 3797m(c) and summarized in the FY 2009 Coverdell Forensic Science Improvement Grants Program Announcement.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the National Institute of Justice).



Signature of Certifying Official

ALBERTO A. LAMORENA V  
Printed Name of Certifying Official

DIRECTOR  
Title of Certifying Official

BUREAU OF STATISTICS AND PLANS - GUAM  
Name of Applicant Agency  
(Including Name of State or Unit of Local Government)

MAY 28 2009

Date

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
NATIONAL INSTITUTE OF JUSTICE

FY 2009 Coverdell Forensic Science Improvement Grants Program

Certification as to External Investigations

On behalf of the applicant agency named below, I certify the following to the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice:

A government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility in the State that will receive a portion of the grant amount.

I personally read and reviewed the section entitled "Eligibility" in the Fiscal Year 2009 program announcement for the Coverdell Forensic Science Improvement Grants Program. I acknowledge that a false statement in this certification or in the grant application that it supports may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the National Institute of Justice).



Signature of Certifying Official

ALBERTO A. LAMORENA V  
Printed Name of Certifying Official

DIRECTOR  
Title of Certifying Official

BUREAU OF STATISTICS AND PLANS - GUAM  
Name of Applicant Agency  
(Including Name of State or Unit of Local Government)

MAY 28 2009

Date



# *Paul Coverdell Forensic Science Improvement Grants Program*



*FY 2009 Grant Application  
Program Narrative*

**BUREAU OF STATISTICS AND PLANS**  
*(Bureau of Planning)*  
Government of Guam



**Felix P. Camacho**  
Governor of Guam

**Michael W. Cruz, MD**  
Lieutenant Governor

P.O. Box 2950 Hagåtña, Guam 96932  
Tel: (671) 472-4201/3  
Fax: (671) 477-1812

**Alberto "Tony" Lamorena V**  
Director

MAY 28 2009

Memorandum

To: Director, Guam State Clearinghouse  
From: Director, Bureau of Statistics and Plans  
Subject: Fiscal Year 2009 Paul Coverdell Forensic Science Improvement Grant Program

The Bureau of Statistics and Plans is requesting for a concurrent review of Guam's FY 2009 Paul Coverdell Forensic Science Improvement Grant Program (Coverdell Program). Guam is applying for \$135,000 from the U.S. Department of Justice, National Institute of Justice to acquire a Cogent Automated Fingerprint/Palm Print Identification System (CAFIS), to upgrade the GC/MS software and workstation and to conduct full services maintenance on the GC/MS, to acquire a HP laser printer, to acquire a gas leak detector instrument, to maintain contractual services on the digital minilab, to implement additional FLIMS modules to meet the laboratory demands and needs, to provide forensic sciences training to the forensic examiners and forensic analysts; to pursue accreditation. Attached are the original and two (2) copies of the application. The application for funding under this program must be submitted electronically through the Office of Justice Grants Management System by no later than May 29, 2009.

The new forensic equipment will enable the Guam Police Department's Forensic Science Laboratory Division to improve the quality and timeliness of the forensic services provided by reducing the examiners' and criminalists' time spent processing the forensic evidence and investigating the forensic cases; reducing current forensic case backlog by at least twenty percent; decreasing forensic evidence processing time by fifty percent; and increasing the quality of processed forensic evidence; and increase laboratory personnel efforts towards the accreditation requirements.

The Bureau kindly asks for your approval of our concurrent review request. Should you have any questions or require additional information, please contact either myself or Ms. Lola E. Leon Guerrero at 472-4201/2/3.

ALBERTO A. LAMORENA V

Attachment



GUAM STATE  
CLEARINGHOUSE

MAY 28 2009

Notice: Receipt of this document  
"DOES NOT" imply that  
all submission requirements  
have been met.



# GUAM STATE CLEARINGHOUSE (GSC)

Grant Project Application

Notification of Intent to Apply for Federal Assistance

Date received: \_\_\_\_\_

Received by: \_\_\_\_\_

SAI No.: \_\_\_\_\_

*for Guam State Clearinghouse use only*

DUNS Number

**1) Applicant Department/Entity:**

Government of Guam Department of Administration/Bureau of Statistics and Plans

**2) Division:**

Socio Economic Planning Program

**3) Applicant Address:**

810 Seventh Street NW Washington, DC 20531

**4) Contact Person, Phone Number, E-mail:**

Mrs. Machele Craig-Leon Guerrero  
671472-4201  
mikilg@mail.gov.gu

**5) Due Date to Federal Agency:**

May 29, 2009

**6) Federal Funds:**

a. Grant \$

b. Other \$

**7) Non-Federal, Matching Funds:**

a. Local \$   
b. In-Kind \$   
c. Other \$

**8) Total Funds: \$**

**9) Federal Program/ Project**

Paul Coverdell Forensic Science Improvement Grants Program

**10) Federal Domestic Catalog No., Public Law No. and Title:**

CDFA #16.742  
Public Law 42 U.S.C. subsection 3797j - 3797o  
Paul Coverdell Forensic Science Improvement Grants Program

**11) Federal Agency Name:**

U.S. Department of Justice  
National Institute of Justice

**12) Federal Agency Address:**

810 Seventh Street NW Washington, DC 20531

**13) Type of Application:**

New Grant     Continuing Grant\*     Supplemental Grant\*     Other (Specify) \_\_\_\_\_

*\*Proceed to Question 14. Question 14 only applicable to CONTINUING and SUPPLEMENTAL grants.*

- 14) If grant application is for a continuing or supplemental grant, please provide the following:  
 (a) Initial date of grant period \_\_\_\_\_  
 (b) Guam State Clearinghouse Application number \_\_\_\_\_

Also, what grant year of the program's effective funding period, does this application impact?

- 15) Has federal funding agency been notified?  Yes  No

16) During which Fiscal Year will this program be implemented? Fiscal Year

17) If project includes local funding, identify source and rationale (BE SPECIFIC):

Not Applicable

- 18) Is this program:  BUDGETED (please identify legal budget authority: \_\_\_\_\_ )  
 NON-BUDGETED

19) Will this program require hiring of new employees? If YES, please provide number of employees (both existing and new) and justification.  YES (Existing \_\_\_\_\_ New \_\_\_\_\_ )  NO

20) Funding Method:

YEAR		<u>FEDERAL</u>		<u>LOCAL</u>		<u>TOTAL</u>
First Year	100 %	<input type="text" value="135,000.00"/>	%	<input type="text" value="0.00"/>	%	<input type="text" value="135,000.00"/>
Second Year	____ %	<input type="text"/>	%	<input type="text"/>	%	<input type="text"/>
Third Year	____ %	<input type="text"/>	%	<input type="text"/>	%	<input type="text"/>
Fourth Year	____ %	<input type="text"/>	%	<input type="text"/>	%	<input type="text"/>
Fifth Year	____ %	<input type="text"/>	%	<input type="text"/>	%	<input type="text"/>

21) List of Departments or Agencies that would be affected directly or indirectly by this application:

Guam Police Department

22) Summary of Project (Attach Supporting Documents as Necessary):

Please see attachment

23) Does this application require an Environmental Impact Study?

YES  NO

24) Will this application conflict with any existing law?

YES  NO

25) Is enabling legislation required?

YES  NO

26) Will this program require maintenance of effort?

YES  NO

27) Does the granting agency provide for in-kind services to offset the local matching requirement?

YES  NO

28) Please provide the constant utilized to determine or calculate the allowable off-sets for amounts that may be claimed as in-kind.

Not applicable

29) Does the proposed program allow for pass through funding requiring services from sub-grantees or private contracts to accomplish its intended purpose?  YES  NO

30) Does the program require the grantee to negotiate an indirect cost plan?

YES (please provide Negotiated Indirect Cost Rate percentage \_\_\_\_\_%)  
 NO

31) Has the grantee estimated the indirect cost within the proposed grant budget?

YES  NO

SUBMITTED AND APPROVED BY:

Signature of Authorized Representative:



Name of Authorized Representative:

Alberto A. Lamorena V

Position/Title of Authorized Representative:

Director

Date:

MAY 28 2009

**APPLICATION FOR FEDERAL ASSISTANCE**

<b>1. TYPE OF SUBMISSION:</b> Application		<b>2. DATE SUBMITTED</b>	Applicant Identifier
<input type="checkbox"/> Construction	<input type="checkbox"/> Construction	<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier
<input checked="" type="checkbox"/> Non-Construction	<input checked="" type="checkbox"/> Non-Construction	<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier

**5. APPLICANT INFORMATION**

Legal Name: Government of Guam Department of Administration	<b>Organizational Unit:</b> Department: Bureau of Statistics and Plans
Organizational DUNS: 778904292	Division: Socio Economic Planning Program
<b>Address:</b> Street: P.O. Box 2950 City: Hagatna County:	<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b> Prefix: Mrs First Name: Machelle Middle Name:
State: Guam Zip Code: 96932	Suffix: Last Name: Craig-Leon Guerrero
Country: United States	Email: miki.leonguerrero@bsp.guam.gov

**6. EMPLOYER IDENTIFICATION NUMBER (EIN):**  
  -

**8. TYPE OF APPLICATION:**  
 New     Continuation     Revision  
 If Revision, enter appropriate letter(s) in box(es)  
 (See back of form for description of letters.)  
 Other (specify)

**7. TYPE OF APPLICANT:** (See back of form for Application Types)  
 State  
 Other (specify)

**9. NAME OF FEDERAL AGENCY:**  
National Institute of Justice

**10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:**  
  -     
**TITLE (Name of Program):**  
 Paul Coverdell Forensic Science Improvement Grant Program

**11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:**  
 FY 2009 Paul Coverdell Forensic Science Improvement Grant Program

**12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):**  
 State

**13. PROPOSED PROJECT**  
 Start Date: 10/1/09    Ending Date: 9/30/10

**14. CONGRESSIONAL DISTRICTS OF:**  
 a. Applicant: Guam    b. Project:

<b>15. ESTIMATED FUNDING:</b>		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>	
a. Federal	\$ 135,000 <sup>00</sup>	a. Yes. <input checked="" type="checkbox"/>	THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE: May 29, 2009
b. Applicant	\$ 0 <sup>00</sup>	b. No. <input type="checkbox"/>	PROGRAM IS NOT COVERED BY E. O. 12372
c. State	\$ 0 <sup>00</sup>	<input type="checkbox"/>	OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
d. Local	\$ 0 <sup>00</sup>	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>	
e. Other	\$ 0 <sup>00</sup>	<input type="checkbox"/> Yes if "Yes" attach an explanation. <input checked="" type="checkbox"/> No	
f. Program Income	\$ 0 <sup>00</sup>		
g. TOTAL	\$ 135,000 <sup>00</sup>		

**18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.**

**a. Authorized Representative**

Prefix Mr.	First Name Alberto	Middle Name A.
Last Name Lamorena V		Suffix
b. Title Director, Bureau of Statistics and Plans		c. Telephone Number (give area code) 671472-4201/2/3
d. Signature of Authorized Representative		e. Date Signed MAY 28 2009

## INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:	Item:	Entry:																
1.	Select Type of Submission.	11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.																
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	12.	List only the largest political entities affected (e.g., State, counties, cities).																
3.	State use only (if applicable).	13.	Enter the proposed start date and end date of the project.																
4.	Enter Date Received by Federal Agency Federal identifier number: If this application is a continuation or revision to an existing award, enter the present Federal identifier number. If for a new project, leave blank.	14.	List the applicant's Congressional District and any District(s) affected by the program or project																
5.	Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.																
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.																
7.	Select the appropriate letter in the space provided. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. State</td> <td style="width: 50%;">I. State Controlled</td> </tr> <tr> <td>B. County</td> <td>Institution of Higher Learning</td> </tr> <tr> <td>C. Municipal</td> <td>J. Private University</td> </tr> <tr> <td>D. Township</td> <td>K. Indian Tribe</td> </tr> <tr> <td>E. Interstate</td> <td>L. Individual</td> </tr> <tr> <td>F. Intermunicipal</td> <td>M. Profit Organization</td> </tr> <tr> <td>G. Special District</td> <td>N. Other (Specify)</td> </tr> <tr> <td>H. Independent School District</td> <td>O. Not for Profit Organization</td> </tr> </table>	A. State	I. State Controlled	B. County	Institution of Higher Learning	C. Municipal	J. Private University	D. Township	K. Indian Tribe	E. Interstate	L. Individual	F. Intermunicipal	M. Profit Organization	G. Special District	N. Other (Specify)	H. Independent School District	O. Not for Profit Organization	17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
A. State	I. State Controlled																		
B. County	Institution of Higher Learning																		
C. Municipal	J. Private University																		
D. Township	K. Indian Tribe																		
E. Interstate	L. Individual																		
F. Intermunicipal	M. Profit Organization																		
G. Special District	N. Other (Specify)																		
H. Independent School District	O. Not for Profit Organization																		
8.	Select the type from the following list: <ul style="list-style-type: none"> <li>• "New" means a new assistance award.</li> <li>• "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.</li> <li>• "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter:  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. Increase Award</td> <td style="width: 50%;">B. Decrease Award</td> </tr> <tr> <td>C. Increase Duration</td> <td>D. Decrease Duration</td> </tr> </table> </li> </ul>	A. Increase Award	B. Decrease Award	C. Increase Duration	D. Decrease Duration	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)												
A. Increase Award	B. Decrease Award																		
C. Increase Duration	D. Decrease Duration																		
9.	Name of Federal agency from which assistance is being requested with this application.																		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.																		

<b>APPLICATION FOR FEDERAL ASSISTANCE</b>	2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION	3. DATE RECEIVED BY STATE	State Application Identifier
Application Non-Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
<b>5. APPLICANT INFORMATION</b>		
Legal Name	Organizational Unit	
Guam Bureau of Statistics and Plans	Bureau of Statistics and Plans	
Address	Name and telephone number of the person to be contacted on matters involving this application	
P.O. Box 2950 Hagatna, Guam 96932-2950	Craig-Leon Guerrero, Machel (671) 472-4201	
6. EMPLOYER IDENTIFICATION NUMBER (EIN)	7. TYPE OF APPLICANT	
98-0018947	State	
8. TYPE OF APPLICATION	9. NAME OF FEDERAL AGENCY	
New	National Institute of Justice	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT	
NUMBER: 16.742 CFDA Paul Coverdell Forensic Sciences Improvement Grant TITLE: Program	FY 2009 Paul Coverdell Forensic Science Improvement Grant Program	
12. AREAS AFFECTED BY PROJECT		
Guam wide		
13. PROPOSED PROJECT	14. CONGRESSIONAL DISTRICTS OF	
Start Date: October 01, 2009 End Date: September 30, 2010	a. Applicant b. Project GU00	
15. ESTIMATED FUNDING	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
Federal	\$135,000	This preapplication/application was made available to the state executive order 12372 process for review on 05/28/2009
Applicant	\$0	
State	\$0	
Local	\$0	
Other	\$0	
Program Income	\$0	
TOTAL	\$135,000	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
		N
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION		

ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.

---

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NIJ FY 09 Coverdell Forensic Science Improvement Grant Program 2009-

91597-GU-CD



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[Applicant Information](#)

[Project Information](#)

[Budget and Program Attachments](#)

[Assurances and Certifications](#)

[Review SF 424](#)

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Status	Requirement
Complete	Overview
Complete	Applicant Information
Complete	Project Information
Complete	Budget and Program Attachments
Complete	Certified to the Assurances and Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace
Incomplete	<input type="button" value="Submit Application"/>

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NIJ FY 09 Coverdell Forensic Science Improvement Grant Program 2009-

91597-GU-CD



[Help/Frequently Asked Questions](#) **Submit Application**

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Your application for the NIJ FY 09 Coverdell Forensic Science Improvement Grant Program has been successfully submitted. You will no longer be able to edit any information submitted. However, you can log in any time to view the application information.

You will be contacted by the Program Office when your application is processed or any other action is required by you.



NIJ FY 09 Coverdell Forensic Science Improvement Grant Program 2009-

91597-GU-CD



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- [Applicant Information](#)
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*Is the applicant delinquent on any federal debt	No
*Employer Identification Number (EIN)	98-0018947
*Type of Applicant	State
Type of Applicant (other):	
*Organizational Unit	Bureau of Statistics and Plans
*Legal Name (Legal Jurisdiction Name)	Guam Bureau of Statistics and Plans
*Vendor Address 1	P.O. Box 2950
Vendor Address 2	
*Vendor City	Hagatna
Vendor County/Parish	
*Vendor State	Guam
*Vendor ZIP	96932-2950
<b>Contact information for matters involving this application</b>	
Contact Prefix:	Mrs.
Contact Prefix (Other):	
Contact First Name:	Machelle
Contact Middle Initial:	
Contact Last Name:	Craig-Leon Guerrero
Contact Suffix:	Other
Contact Suffix (Other):	Mrs.
Contact Title:	Chief Planner
Contact Address Line 1:	P.O. Box 2950
Contact Address Line 2:	
Contact City:	Hagatna
Contact State:	Guam
Contact Zip Code:	96932-2950

Contact Phone Number:	(671) 472-4201
Contact Fax Number:	(671) 477-1812
Contact E-mail Address:	miki.leonguerrero@bsp.guam.gov



NIJ FY 09 Coverdell Forensic Science Improvement Grant Program 2009-

91597-GU-CD



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- [Project Information](#)
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Descriptive Title of Applicant's Project		
FY 2009 Paul Coverdell Forensic Science Improvement Grant Program		
Areas Affected by Project		
Guam wide		
Proposed Project		
	*Start Date	October/ 01/ 2009
	*End Date	September/ 30/ 2010
*Congressional Districts of		
	Project	Congressional District 00, GU
*Estimated Funding		
Federal		\$135000.00
Applicant		\$0.00
State		\$0.00
Local		\$0.00
Other		\$0.00
Program Income		\$0.00
TOTAL		\$135000.00

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NIJ FY 09 Coverdell Forensic Science Improvement Grant Program 2009-

91597-GU-CD



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**Application Handbook**

**Budget and Program Attachments**

[Overview](#)

This form allows you to upload the Budget Detail Worksheet, Program Narrative and other Program attachments. Click the Attach button to continue.

[Applicant Information](#)

Coverdell\_ProgramNarrative\_2009\_MAY2009.pdf

[Project Information](#)

FY2009\_BUDGETDETAILWORKSHEET.pdf

[Budget and Program Attachments](#)

2009certification.pdf

2009investigationcertification.pdf

[Assurances and Certifications](#)

Your files have been successfully attached, but the application has not been submitted to OJP. Please continue with your application.

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**Application Handbook**

**Assurances and Certifications**

[Overview](#)

To the best of my knowledge and belief, all data in this application/preapplication is true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.

[Applicant Information](#)

Your typed name, in lieu of your signature represents your legal binding acceptance of the terms of this application and your statement of the veracity of the representations made in this application. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the following:

[Project Information](#)

[Budget and Program Attachments](#)

1. [Assurances](#)
2. [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace requirements.](#)

[Assurances and Certifications](#)

[Review SF 424](#)

If you are an applicant for any Violence Against Women grants, this includes the Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act.

[Submit Application](#)

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*Prefix	Mr.
Name Prefix:(Other)	
*First Name	Alberto
Middle Initial (if any)	
*Last Name	Lamorena
Suffix	Other
Name Suffix:(Other)	V
*Title	Director
*Address Line 1	P.O. Box 2950
Address Line 2	
*City	Hagatna
County	
*State	Guam
*Zip Code	96932-2950
*Phone	671-472-4201 Ext :
Fax	671-477-1812
*E-mail	mikilg@mail.gov.gu

**I have examined the information provided here regarding the signing authority and certify it is accurate. I am the signing authority, or have been delegated or designated formally as the signing authority by the appropriate authority of official, to provide the information requested throughout this application system on behalf of this jurisdiction. Information regarding the signing authority, or the delegation of such authority, has been placed in a file and is available on-site for immediate review.**

Continue

OMB APPROVAL NUMBER  
1121-0140

EXPIRES 06/30/2009

**STANDARD ASSURANCES**

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
3. It will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.
4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).
5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 7 94); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).
7. If a governmental entity:
  - a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
  - b. it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

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h1>U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
OFFICE OF THE CHIEF FINANCIAL OFFICER

## **CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance of Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

## 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a):

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

## 3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Close Window